

§ 2259. Market-inspection certificates as prima facie evidence

Market-inspection certificates issued by authorized agents of the Department of Agriculture shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

(Sept. 21, 1944, ch. 412, title IV, §401(c), 58 Stat. 738.)

CODIFICATION

This section was enacted as part of the Department of Agriculture Organic Act of 1944.

Section was formerly classified to section 575 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

§ 2260. Inspection or quarantine services involving overtime furnished upon a reimbursable basis

The Secretary of Agriculture is authorized to pay employees of the United States Department of Agriculture performing inspection or quarantine services relating to imports into and exports from the United States, for all overtime, night, or holiday work performed by them at any place where such inspection and quarantine services are performed, at such rates as he may determine, and to accept from persons for whom such work is performed reimbursement for any sums paid out by him for such work.

(Aug. 28, 1950, ch. 815, 64 Stat. 561.)

CODIFICATION

Section was formerly classified to section 576 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

§ 2260a. Reimbursable agreements

(a) In general

The Secretary of Agriculture (referred to in this section as the “Secretary”) may enter into reimbursable fee agreements with persons for preclearance at locations outside the United States of plants, plant products, animals, and articles for movement into the United States.

(b) Overtime, night, and holiday work

Notwithstanding any other provision of law, the Secretary may pay an employee of the Department of Agriculture performing services relating to imports into and exports from the United States for overtime, night, and holiday work performed by the employee at a rate of pay established by the Secretary.

(c) Reimbursement

(1) In general

The Secretary may require persons for whom preclearance services are performed to reimburse the Secretary for any amounts paid by the Secretary for performance of the services.

(2) Crediting of funds

All funds collected under paragraph (1) shall be credited to the account that incurs the costs and shall remain available until expended without fiscal year limitation.

(3) Late payment penalty

(A) In general

On failure of a person to reimburse the Secretary for the costs of performance of preclearance services—

- (i) the Secretary may assess a late payment penalty; and
- (ii) the overdue funds shall accrue interest in accordance with section 3717 of title 31.

(B) Crediting of funds

Any late payment penalty and any accrued interest collected under this paragraph shall be credited to the account that incurs the costs and shall remain available until expended without fiscal year limitation.

(Pub. L. 104-127, title IX, §919, Apr. 4, 1996, 110 Stat. 1191.)

§ 2261. Credit of donations and proceeds from exhibitions to appropriations concerned with foreign market development programs

In the conduct of foreign market development programs, the Secretary of Agriculture is authorized to credit contributions from individuals, firms, associations, agencies, and other groups, and the proceeds received from space rentals, and sales of products and materials at exhibitions, to the appropriations charged with the cost of acquiring such space, products, and materials.

(Pub. L. 87-128, title II, §203, Aug. 8, 1961, 75 Stat. 307.)

CODIFICATION

Section was formerly classified to section 577 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

§ 2262. Employee liability insurance on motor vehicles in foreign countries

The Secretary of Agriculture is authorized to obtain insurance to cover the liability of any employee of the Department of Agriculture for damage to or loss of property or personal injury or death caused by the act or omission of any such employee while acting within the scope of his office or employment and while operating a motor vehicle belonging to the United States in a foreign country.

(Pub. L. 89-106, §3, Aug. 4, 1965, 79 Stat. 431.)

CODIFICATION

Section was formerly classified to section 578 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

§ 2262a. Overseas tort claims

(a) In general

The Secretary of Agriculture may pay a tort claim in the manner authorized by section 2672 of title 28, if the claim arises outside the United States in connection with activities of individuals who are performing services for the Secretary.

(b) Period for presentation of claim

A claim may not be allowed under this section unless the claim is presented in writing to the